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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,637	04/17/2001	Alberto Borgonovo	PA000007	7204
7590 10/08/2003			EXAMINER	
Thomson Multimedia Licensing Inc.			HARVEY, MINSUN OH	
Patent Operation				
Two Independence Way			ART UNIT	PAPER NUMBER
P. O. Box 5312			2644	ST.
Princeton, NJ 08543-5312			DATE MAILED: 10/08/2003	3

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
r	09/836,637	BORGONOVO, ALBERTO				
Office Action Summary	Examiner	Art Unit				
	Minsun Harvey	2644				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM						
THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a repl - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statute - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).  Status	I36(a). In no event, however, may a reply within the statutory minimum of thirty will apply and will expire SIX (6) MONT and cause the application to become ABA	oly be timely filed  (30) days will be considered timely.  HS from the mailing date of this communication.  NDONED (35 U.S.C. § 133).				
1) Responsive to communication(s) filed on <u>05</u> .	lune 2003					
	nis action is non-final.					
3) Since this application is in condition for allows		ers, prosecution as to the merits is				
closed in accordance with the practice under  Disposition of Claims						
4) Claim(s) 1-5 is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6) Claim(s) <u>1-5</u> is/are rejected.						
7) Claim(s) is/are objected to.	7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/c	or election requirement.					
Application Papers						
9) The specification is objected to by the Examiner.						
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.						
If approved, corrected drawings are required in reply to this Office action.						
12) The oath or declaration is objected to by the Ex	Kammer.					
Priority under 35 U.S.C. §§ 119 and 120		440(**) (*1) *** (5)				
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) ☐ All b) ☐ Some * c) ☐ None of:	to have to an accepted					
<ul> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> </ul>						
		·				
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.						
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).						
a) The translation of the foreign language pro	• •					
Attachment(s)	,,					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) 🔲 Notice of In	ummary (PTO-413) Paper No(s) formal Patent Application (PTO-152)				

Art Unit: 2644

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in-
- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).
- 2. Claims 1 to 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Kunimoto.

Kunimoto discloses cabinet for an electronic device equipped with a loudspeaker for audio reproduction (fig 1) characterized in that the cabinet comprises a main cabinet for housing electrical and mechanical components of the electronic device (2) and further comprises a cabinet (3 and 4) for the loudspeaker being separate from main cabinet and connected to the outside of the main cabinet in an nondetachable manner; a vibration damping means is arranged between the main cabinet and the loudspeaker cabinet (9); characterized in that inside the loudspeaker cabinet electronic circuitry is arranged (inherent that electronic circuitry (wires) is arranged inside the speaker cabinet); the main cabinet is provided with urging means pressing the loudspeaker cabinet against the main cabinet (tip end of main cabinet (2) would be urging means since it is pressing the loudspeaker cabinet (3) against the main cabinet; see fig. 2).

3. This is in response to the applicant's remark which was received on June 5, 2003.

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On page 3, lines 3 to 8, the applicant has argued that "Kunimoto does not disclose a cabinet having a main cabinet and a loudspeaker cabinet, and 'said loudspeaker cabinet being separate from said main cabinet and connected to the outside of the main cabinet in an non-detachable manner". The applicant's argument is not persuasive because a cabinet 2 of Kunimoto discloses a main cabinet and cabinet 3 as a speaker cabinet.

On page 3, lines 9 to 22, the applicant has argued that "element 3 is part of cabinet 2, and both the woofer 4 and the tweeter 5 are disposed inside that casing (relied upon as the main cabinet". The applicant's argument is not persuasive because as disclosed in figures 2 and 5, panel 3 and sound conductor 8 makes a cabinet (cabinet is defined as "a small room providing seclusion" Webster's Ninth New Collegiate Dictionary").

The Examiner maintains the rejection as set forth above.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Minsun Oh Harvey** whose telephone number is **(703) 308-6741**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Isen, can be reached at (703) 305-4386.

## Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

## Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

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Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

MINSUN OH HARVEY PRIMARY EXAMINER